

Do not use this checklist for closure coverage. If using a trust fund for closure coverage, use publication #05-04-008(a).
Do not use this checklist for post-closure or interim status facilities – contact Ecology’s Financial Assurance Officer for instructions.

**FINANCIAL ASSURANCE COMPLIANCE CHECKLIST
TRUST FUND FOR LIABILITY
FACILITIES USING 40 CFR 264.147(j)**

REVIEW FOR YEAR: _____

DATE OF TRUST _____
DATE SUBMITTED _____
ACCOUNT NUMBER _____
BANK/TRUSTEE NAME _____
FACILITY NAME _____
LOCATION _____
ID NUMBER _____

INITIAL REVIEW STEPS	COMMENTS
1. Have the required documents been submitted?	
a. Trust Agreement – 40 CFR 264.147(j)(1)	
b. Schedule A – 40 CFR 264.151(m)(1), Section 2	
c. Schedule B – 40 CFR 264.151(m)(1), Section 3	
d. Exhibit A – 40 CFR 264.151(m)(1), Section 14	
e. Certificate of Acknowledgement – 40 CFR 264.151(m)(2)	
2. Does the Trustee remain qualified? 40 CFR 264.147(j)(2)	
3. Is the Trust Agreement wording identical to the requirements? 40 CFR 264.151(m) and WAC 173-303-620(10)	
4. Is the Trust fully funded? 40 CFR 264.147(j)(3)	
5. Is the amount of the Trust still sufficient to cover the facility’s potential liability (\$1/\$2 million and \$3/\$6 million)? 40 CFR 264.147(a) and 264.147(b)	
SUBSEQUENT REVIEW STEPS	
6. Have the required documents been submitted?	
a. New/replacement Trust Agreement – 40 CFR 264.147(j)(1)	
b. Schedule A – 40 CFR 264.151(m)(1), Section 2	
c. Schedule B – 40 CFR 264.151(m)(1), Section 3	
d. Exhibit A – 40 CFR 264.151(m)(1), Section 14	
e. Certificate of Acknowledgement – 40 CFR 264.151(m)(2)	
7. Does the Trustee remain qualified? 40 CFR 264.147(j)(2)	
8. Is the Trust Agreement wording still identical to the requirements? 40 CFR 264.151(m) and WAC 173-303-620(10)	
9. Is the Trust fully funded? 40 CFR 264.147(j)(3)	
10. Is the amount of the Trust still sufficient to cover the facility’s potential liability (\$1/\$2 million and \$3/\$6 million)? 40 CFR 264.147(a) and 264.147(b)	
11. Any other outstanding issues or concerns?	

MANDATORY LANGUAGE: Located in 40 CFR 264.151(m) and WAC 173-303-620(10). Examples of mandatory language are available from Ecology's Financial Assurance Officer at (360) 407-6754.

CONCLUSION: The Department of Ecology determines that the facility has *(circle one)* **COMPLIED** / **NOT COMPLIED** in all material respects with the requirements governing financial assurance as described in 40 CFR Part 264. Reasons for noncompliance, if any, are detailed in an attached memo.

Department of Ecology Review by: _____ Date: _____